

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Ashley A. Parry, Rosalina M. Naida,
Monica F. Leone, and Maria E. Nagle,
Individually, and on Behalf of All Others
Similarly Situated,

No. 1:15-cv-00114-SO

(Assigned to the Honorable Solomon Oliver, Jr.)

Plaintiffs,

vs.

Westlake Bistro Group, Inc., an Ohio Corporation, West 6th St. Partners, Inc., an Ohio Corporation, Thomas Culkar, Molly Culkar, and Joseph Hanna,

Defendants.

**PLAINTIFFS' MOTION TO SHOW
CAUSE AND MOTION FOR
ATTORNEY FEES**

Now comes Plaintiffs, by and through Counsel, and hereby moves this Honorable Court to issue an order requiring Defendant, Thomas Culkar, to show cause as to why they should not be held in contempt of this Court's order dated August 24, 2017. (Doc. #65).

This matter originated before the Court as a claim for failure to pay proper minimum wages and overtime under the Fair Labor Standards Act (“FLSA”). On August 24, 2017, the parties entered into a stipulated dismissal of Defendant Culkar pursuant to the term of the parties’ Settlement Agreement. The Court reserved jurisdiction over the enforcement of the parties’ Settlement Agreement.

1 Defendant Culkar has altogether failed to adhere to payment terms contained in
2 the parties' settlement agreement. (See Declaration of James L. Simon attached hereto).
3 To date, Defendant Culkar has paid **nothing** and he is delinquent on his payments.
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5 **Wherefore**, Plaintiffs respectfully request that Defendant Culkar be found in
6 contempt of the Court's order dated August 24, 2017. Plaintiffs further requests that
7 the Court issue an order requiring Defendant Culkar to pay all of the reasonable
8 attorney fees and costs incurred in the prosecution of this matter along with interest
9 on all unpaid funds at the maximum rate allowed by law.
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11 RESPECTFULLY SUBMITTED this 2nd day of November, 2017.
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28 *Attorneys for Plaintiff*

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3 **Certificate of Service**

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I certify that on this 2nd day of November 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF upon all necessary parties.

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10 /s/James L. Simon

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